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10/711,983	10/18/2004	John Robert Lamberty	GEMS 0169 PA	5982	
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SHORTENED STATUTO	RY PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
•	10/711,983	LAMBERTY ET AL.
Office Action Summary	Examiner	Art Unit
	Chih-Cheng Glen Kao	2882
The MAILING DATE of this communication apperiod for Reply	ppears on the cover sheet with	the correspondence address
A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING I - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICA 1.136(a). In no event, however, may a reply d will apply and will expire SIX (6) MONTHS ate, cause the application to become ABAN	TION. y be timely filed S from the mailing date of this communication. DONED (35 U.S.C. § 133).
Status		•
 1) ⊠ Responsive to communication(s) filed on 18 / 2a) ☐ This action is FINAL. 2b) ☒ The Since this application is in condition for allowed closed in accordance with the practice under 	is action is non-final. ance except for formal matters	
Disposition of Claims		
 4)	awn from consideration. 42-50 is/are rejected.	plication.
Application Papers		
9) ☐ The specification is objected to by the Examination 10) ☒ The drawing(s) filed on 20 April 2006 is/are: a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction 11) ☐ The oath or declaration is objected to by the Examination is objected to be a considered to	a) accepted or b) objected or awing(s) objected if the drawing(s)	. See 37 CFR 1.85(a). is objected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119	•	
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document comparts of the priority document comparts of the certified copies of the c	nts have been received. Ints have been received in Apporting documents have been received au (PCT Rule 17.2(a)).	lication No ceived in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Sum	mary (PTO-413)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date 	Paper No(s)/N	Mail Date mal Patent Application (PTO-152)

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 18, 2006, has been entered.

Claim Objections

2. Applicant is advised that should claims 1, 4, 5, and 8 be found allowable, claims 9-12 and 15 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 5, 8-12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable 3. over Groh et al. (US 6980626) in view of Nonaka (JP 2000-102529).

Regarding claims 1 and 9, Groh et al. discloses a method comprising the steps of 4. generating a first x-ray flux in a first imaging plane (fig. 1, #4), generating a first image readout (col. 4, lines 13-18), digitally sampling a first scatter signal from said first x-ray flux in a second imaging plane (col. 3, lines 45-55), generating a first compensation signal for said first scatter signal (col. 4, lines 13-17), generating a second x-ray flux in said second imaging plane (fig. 1, #6), generating a second image readout (col. 4, lines 13-18), compensating for scatter in said second image readout with said first compensation signal (col. 4, lines 7-10), activating a first scatter correction algorithm (col. 3, line 65, to col. 4, line 4) in response to said second image readout and said first compensation signal (col. 4, lines 7-10), and generating a first image display from said first scatter correction algorithm (col. 4, lines 16-18).

However, Groh et al. fails to disclose periodically updating through stopping a current exposure in a second imaging plane and reading a scatter image update resulting from an exposure in a first plane.

Nonaka teaches periodically updating through stopping a current exposure in a second imaging plane and reading a scatter image update resulting from an exposure in a first plane (fig. 2, S_{L1} and S_{F1} , and paragraphs 24 and 25).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the method of Groh et al. with the updating of Nonaka, since one

would have been motivated to make such a modification for obtaining a better image (paragraphs 24 and 25) as implied from Nonaka.

- 5. Regarding claim 2, Groh et al. further discloses the sub-steps of activating a first scatter image formation algorithm (col. 3, line 65, to col. 4, line 4), generating said first compensation signal (col. 4, line 2), and necessarily storing said first compensation signal in a first scatter correction memory.
- 6. Regarding claims 4, 10, and 11, Groh et al. further discloses generating a third x-ray flux in said first imaging plane (fig. 2, 4 (on)), generating a third image readout (col. 4, lines 5-20), generating a fourth x-ray flux in said second imaging plane (fig. 2, 6 (on)), generating a fourth image readout (col. 4, lines 1-20), digitally sampling a second scatter signal from said fourth xray flux in said first imaging plane, and generating a second compensation signal for said second scatter signal (col. 4, lines 10-13).
- Regarding claims 5 and 12, Groh et al. further discloses generating a second digital 7. scatter readout (col. 4, lines 1-4), generating a fifth x-ray flux in said first imaging plane (fig. 2, 4 (on) and 6 (on)), generating a fifth image readout (col. 4, lines 5-10), and compensating for scatter in said fifth image readout with said second compensation signal (col. 4, lines 10-13).
- 8. Regarding claims 8 and 15, Groh et al. further discloses activating a second scatter correction algorithm (col. 4, lines 1-4, or claim 1) in response to said fifth image readout (col. 1,

lines 1-20) and said second compensation signal (col. 4, lines 10-13), and generating a second

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image display from said second scatter correction algorithm (col. 4, lines 1-4).

9. Claims 21, 23, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Groh et al. in view of Aisaka et al. (US 5021770) and Garland et al. (US 6244507).

10. Regarding claims 21 and 23, Groh et al. discloses a system as recited above. Groh et al.

further discloses a gantry (col. 3, line 12), a host computer (fig. 1, #8) adapted to receive a first

detector signal, a second detector signal, a first scatter signal, and a second scatter signal (fig. 1,

from #5 and 7), wherein said host computer is operable to generate x-ray image data as a

function of said first detector signal, said second detector signal, said first scatter signal, and said

second scatter signal that is representative of internal portions of an object (fig. 1, P), said x-ray

image data including first digital data representative of internal portions of said object when

exposed to said first x-ray source (fig. 1, #4), and second digital data representative of internal

portions of said object when exposed to said second x-ray source (fig. 1, #6) substantially

simultaneously with exposure to said first x-ray source (fig. 2, 4(on) and 6(on)), wherein said

first x-ray source (fig. 1, #4) is displaced from said second x-ray source (fig. 1, #6), said first

digital data is modified to compensate for scattered radiation from said second x-ray source, and

said second digital data is modified to compensate from scattered radiation from said first x-ray

source (col. 4, lines 5-18).

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However, Groh et al. fails to disclose a data file and digital data representative of a characteristic of an object, wherein said object is a person and said third digital data is representative of at least one of the person's name, identification number, or physical condition.

Aisaka et al. teaches a data file (fig. 1, #2). Garland et al. teaches digital data representative of a characteristic of an object, wherein said object is a person and said third digital data is representative of at least one of the person's name, identification number, or physical condition (col. 1, lines 10-18).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the system of Groh et al. with the data file of Aisaka et al., since one would have been motivated to make such a modification for easier organization and retrieval (fig. 1, #2, and col. 4, lines 26-30) as implied from Aisaka et al.

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the system of Groh et al. with the digital data of Garland et al., since one would have been motivated to make such a modification for standardizing files (col. 1, lines 19-28) as shown by Garland et al., which would provide easier retrieval and better compatibility with various systems.

Furthermore, it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the system of Groh et al. with a data file, since rearranging data on a computer involves only routine skill in the art. One would have been motivated to make such a modification to keep things more organized for faster processing or for easier searching.

11. Regarding claim 28, Groh et al. as modified above suggests a system as recited above.

However, Groh et al. fails to disclose wherein at least one image is of the person's chest cavity.

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the system of Groh et al. as modified above with the image of a person's chest cavity, since such a modification would have only involved rearranging parts of an invention, which only involves routine skill in the art. One would have been motivated to make such a modification to better see inside that area.

12. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al., Aisaka et al., and Garland et al. as applied to claim 21 above, and further in view of Grady (US 4426725).

Groh et al. as modified above suggests a system as recited above.

However, Groh et al. fails to disclose wherein first and second data are generated when first and second sources are located at three positions relative to a person, and wherein said at least three positions define an arc and are located along a straight line, and wherein said arc has a fixed radius.

Grady teaches wherein first and second data are generated when first and second sources (fig. 7, XA and XB) are located at three positions (col. 5, lines 28-32) relative to a person (fig. 7, P), and wherein said at least three positions define an arc (fig. 7, defined by #202 and 203) and are necessarily located along a straight line, and wherein said arc has a fixed radius (fig. 7, defined by #202 and 203).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the system of Groh et al. as modified above with the three positions of Grady, since one would have been motivated to make such a modification for having more information (col. 5, lines 28-32) as implied from Grady.

- 13. Claims 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al. in view of Humphrey et al. (US 2005/0267351).
- 14. Regarding claims 29-31 and 33, Groh et al. discloses a method as recited above.

However, Groh et al. fails to disclose generating a digital data representative of a characteristic of an object, a person's name, identification number, or physical condition, and generating a request for payment of money based upon at least said third digital data.

Humphrey et al. teaches generating a digital data representative of a characteristic of an object (paragraph 4), a person's name, identification number, or physical condition (paragraph 47), and generating a request for payment of money based upon at least said third digital data (paragraph 6).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the method of Groh et al. with the revenue generating of Humphrey et al., since one would have been motivated to make such a modification for keeping things better organized and obtaining more money (paragraphs 6 and 8) as implied from Humphrey et al.

Regarding claims 32 and 34, Groh et al. as modified above suggests a method as recited 15.

above.

However, Groh et al. fails to disclose exposing a person's chest cavity.

It would have been obvious, to one having ordinary skill in the art at the time the

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invention was made, to further modify the method of Groh et al. as modified above with the step

of exposing a person's chest cavity, since such a modification would have only involved

rearranging parts of an invention, which only involves routine skill in the art. One would have

been motivated to make such a modification to better see inside that area.

16. Regarding claims 35-37, Groh et al. as modified above suggests a method as recited

above.

However, Groh et al. fails to disclose a step of transmitting data over a computer

network, wherein said computer network is the Internet, a wide-area computer network, or a

local-area computer network.

Humphrey et al. teaches a step of transmitting data over a computer network, wherein

said computer network is the Internet, a wide-area computer network, or a local-area computer

network (paragraph 37).

It would have been obvious, to one having ordinary skill in the art at the time the

invention was made, to further modify the method of Groh et al. as modified above with the

networking of Humphrey et al., since one would have been motivated to make such a

modification for more easily transferring data to various locations (paragraph 1) as implied from

Humphrey et al.

17. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al. and Humphrey et al. as applied to claim 29 above, and further in view of Filler (US 2001/0051881).

Groh et al. as modified above suggests a method as recited above.

However, Groh et al. fails to disclose storing data in reference to a request for payment and data representative of payments associated with said request for payment.

Filler teaches storing data in reference to a request for payment and data representative of payments associated with said request for payment (paragraphs 3 and 18).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the method of Groh et al. as modified above with the storing of Filler, since one would have been motivated to make such a modification for better management (paragraph 3) as implied from Filler.

18. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al., Humphrey et al., and Filler as applied to claim 38 above, and further in view of DiRienzo (US 2002/0194035).

Groh et al. as modified above suggests a method as recited above.

However, Groh et al. fails to disclose determining a service charge associated with a request for payment.

DiRienzo teaches determining a service charge associated with a request for payment (paragraph 21).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the method of Groh et al. as modified above with the service charge of DiRienzo, since one would have been motivated to make such a modification for better making sure someone pays for administrative costs as well (paragraph 21) as implied from DiRienzo.

- 19. Claims 40, 42, 43, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al. in view of Karellas et al. (US 2003/0169847) and Motoki (US 6920465).
- 20. Regarding claim 40, Groh et al. discloses a system as recited above.

However, Groh et al. fails to disclose digital detectors and wherein a data processor is further configured to store digital data representative of a characteristic of an object.

Karellas et al. teaches digital detectors (paragraph 7). Motoki teaches wherein a data processor is further configured to store digital data representative of a characteristic of an object (col. 5, lines 40-45).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the system of Groh et al. with the detectors of Karellas et al., since one would have been motivated to make such a modification for a more compact system (paragraph 4) as implied from Karellas et al.

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the system of Groh et al. with the data storing of Motoki, since

one would have been motivated to make such a modification for easier image identification (fig.

7) as implied from Motoki.

21. Regarding claims 42 and 46, Motoki further teaches wherein a characteristic is one of a

person's name (col. 5, lines 40-45).

22. Regarding claim 43, Groh et al. further discloses a human viewable display for

generating an image associated with data (col. 4, lines 16-18).

23. Claims 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et

al., Karellas et al., and Motoki as applied to claim 43 above, and further in view of Annis et al.

(US 6628745).

Groh et al. as modified above suggests a system as recited above.

However, Groh et al. fails to disclose a conveyor for supporting an object, wherein said

object is one of baggage, packages, liquid containers, or envelopes, or wherein said object is a

vehicle.

Annis et al. teaches a conveyor for supporting an object, wherein said object is one of

baggage, packages, liquid containers, or envelopes (fig. 9), or wherein said object is a vehicle

(fig. 15).

It would have been obvious, to one having ordinary skill in the art at the time the

invention was made, to further modify the system of Groh et al. as modified above with the

objects of Annis et al., since one would have been motivated to make such a modification for more easily inspecting (figs. 9 and 15) as implied from Annis et al.

- 24. Claims 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al., Karellas et al., and Motoki as applied to claim 46 above, and further in view of Yonekawa (US 6504897).
- 25. Regarding claims 47 and 48, Groh et al. as modified above suggests a system as recited above.

However, Groh et al. fails to disclose wherein a human viewable display is configured to further generate alphanumeric or graphical images representative of a characteristic simultaneously with an image, wherein said characteristic is one of a name.

Yonekawa teaches wherein a human viewable display (fig. 11) is configured to further generate alphanumeric or graphical images (fig. 11, B) representative of a characteristic simultaneously with an image (fig. 11, C), wherein said characteristic is one of a name (col. 31, lines 51-57).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the system of Groh et al. as modified above with the display of Yonekawa, since one would have been motivated to make such a modification for easier image identification (col. 31, lines 51-57) as implied from Yonekawa.

26. Regarding claim 49, Groh et al. further discloses a gantry (col. 3, line 12).

27. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Groh et al., Karellas et al., Motoki, and Yonekawa, as applied to claim 49 above, and further in view of Cheung (US 6005911).

Groh et al. as modified above suggests a system as recited above.

However, Groh et al. fails to disclose a network interface.

Cheung teaches a network interface (col. 11, lines 1-11).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to further modify the system of Groh et al. as modified above with the network interface of Cheung, since one would have been motivated to make such a modification for more easily transferring data (figs. 12 and 13) as implied from Cheung.

Response to Arguments

- 28. Applicant's arguments filed December 18, 2006, have been fully considered but they are not persuasive.
- 29. Regarding at least claims 1 and 9, applicant argues that Nonaka fails to disclose or suggest periodically updating an image through stopping a current exposure. The examiner disagrees. As seen in figure 2, prior to the time period for S_{L1} and S_{F1} , the image was corrected with S_{L0} and S_{F0} , as evidenced by I_{L1} - S_{L0} and I_{F1} - S_{F0} at least. Then, at the time period for S_{L1} , a current exposure in one plane is stopped, as evidenced by the lack of a pulse for X_L during the same time period for S_{L1} . This stopping of a current exposure also occurs during the time period

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of S_{F1} for X_F . Then, the image is updated with the acquired scatter images (S_{L1} and S_{F1}), as evidenced by I_{L8} - S_{L1} and I_{F8} - S_{F1} . Therefore, Nonaka does disclose or suggest periodically updating (fig. 2; and paragraphs 24 and 25) through stopping a current exposure (fig. 2, at S_{L1} and S_{F1}).

30. Regarding at least claim 29, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

In this case, Groh et al. is directed to a specific imaging method (fig. 1). Humphrey et al. is directed to a general imaging method (paragraph 4) including the step of generating a request for payment of money based on object characteristics (paragraph 6). Therefore, it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the specific imaging method of Groh et al. with the teachings of revenue generation in Humphrey et al. for imaging methods in general, since one would have been motivated to make such a modification for obtaining more money (paragraphs 6 and 8) as implied from Humphrey et al.

Furthermore, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Groh et al. discloses a specific medical imaging method (fig. 1). Humphrey et al. teaches a general medical imaging method (paragraph 4) with steps for

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generating revenue (as implied from paragraph 6). Therefore, the combination of references would suggest and make obvious a specific medical imaging method (Groh et al.) with steps for generating revenue (Humphrey et al.).

31. Regarding at least claim 40, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

In this case, Groh et al. is directed to a specific imaging system (fig. 1). Motoki is directed to a general imaging system (fig. 1) including storage of data representative of a characteristic of an object (col. 5, lines 40-45). Therefore, it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to modify the specific imaging system of Groh et al. with the teachings of data storage in Motoki for imaging systems in general, since one would have been motivated to make such a modification for easier image identification (fig. 7) as implied from Motoki.

Furthermore, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Groh et al. discloses a specific medical imaging system (fig. 1). Motoki teaches a general medical imaging system (fig. 1) with a data processor for storing a characteristic of an object (col. 5, lines 40-45). Therefore, the combination of references would

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suggest and make obvious a specific medical imaging system (Groh et al.) with a data processor

for storing a characteristic of an object (Motoki).

In conclusion, applicant's arguments are not persuasive, and the claims remain rejected.

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Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-

2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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Chih-Cheng Glen Kao

Examiner

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